



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. BOX 47600 • Olympia, Washington 98504-7600 • (206) 459-6000

June 1, 1993

Keith Lund
Burlington Environmental Inc.,
Technical Services Division
PO Box 3552
Seattle WA 98124

Dear Mr. Lund:

Re: Burlington Environmental Inc. (Burlington) Pier 91 facility permit appeal

As we discussed at our May 12, 1993 meeting, concerning Item F of the appeal (Clean closure requirements) Ecology is providing clarifying language for inclusion in the settlement agreement. Ecology's suggested language is as follows:

Implementation by Burlington of the approved closure plan, Attachments HH and LL to the permit, can achieve the clean closure standards of Permit Condition II.D.7. Permit Condition II.D.8. specifies that sampling and analysis for the purposes of closure shall be in accordance with Attachments HH and LL. Additional sampling and analysis for all waste constituents listed in WAC 173-303-9905 is not required by Permit Condition II.D.7. However, pursuant to WAC 173-303-830(3)(a)(ii), (v), and -610(3)(b)(iv), Ecology may require modification of the closure plan in the event of new information; changes in facility design, operations, or expected year of closure; or unexpected events at the time of closure. Two examples of instances which are sufficient cause for Ecology to require modification of the closure plan, different wastes handled at the facility or the occurrence of significant releases, are specified in Permit Condition II.D.8.

I hope that we will be able to discuss this language at our meeting on June 9. If you have any questions, please call me at 459-6993.

Sincerely,

Douglas Brown
Hazardous Waste Permits

cc: Stephanie Delaney, AAG/Ecology
Doug Hotchkiss, Port of Seattle
Julie Sellick, NWRO
Carrie Sikorski, EPA Region 10

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